

**FILED**

FEBRUARY 9, 2006

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF

**WARLAND LANCE KOLLMER, M.D.  
License No. 25MA04525100**

TO PRACTICE MEDICINE AND SURGERY  
IN THE STATE OF NEW JERSEY

**FINAL ORDER RESCINDING  
DECEMBER 22, 2005 CONSENT  
ORDER ENTERED IN ERROR &  
DENYING PETITION FOR  
REINSTATEMENT**

This matter was initially opened to the State Board of Medical Examiners ("Board") upon the filing of a Consent Order of Voluntary Surrender of Licensure, dated April 16, 2001, in which Warland Lance Kollmer, M.D. ("Respondent") surrendered his license to practice medicine and surgery in the State of New Jersey for a minimum period of six (6) months, after a relapse into the abuse of Fioricet with Codeine.

On or about December 22, 2005, a Consent Order of Reinstatement of Licensure was filed with the Board, which reinstated Respondent's license to practice medicine and surgery in New Jersey. A copy of the December 22, 2005 Order is attached hereto and made a part hereof as Exhibit A. Respondent's reinstatement of licensure was granted following his appearance before a Committee of the Board on March 30, 2005, and following a letter that was received from David I. Canavan, M.D., Assistant Medical Director of the Professional Assistance Program of New Jersey ("PAP"), dated August 22, 2005. In that August 22, 2005 letter, Dr. Canavan asserted that Respondent had been completely

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compliant with all of the PAP's treatment recommendations and monitoring requirements since March 2005 and that the PAP now fully supported Respondent's reinstatement request. A detailed history of the events that led up to the Consent Order reinstating Respondent's license, as well as certain events that transpired during Respondent's surrender of licensure, were previously set forth in the December 22, 2005 Consent Order and will not be restated again here.

Although the Consent Order of Reinstatement of Licensure was actually filed with the Board on December 22, 2005, this filing was done in error. Respondent's reinstatement of licensure was never fully completed, since he had yet to pay the \$580.00 license renewal fee at that time, and had yet to submit proof to the Board that he had obtained medical malpractice insurance.

On or about December 29, 2005, Respondent appeared at the Board office in order to pay the required \$580.00 license renewal fee associated with the reinstatement of his medical license. Colleen Callahan-Feldman, a Secretary Assistant III with the Board, met with Respondent that day to assist him in completing the necessary paperwork for his reinstatement. Ms. Feldman was standing in close proximity with Respondent during this entire time period and noticed what appeared to be the smell of alcohol on Respondent's breath. Therefore, Ms. Feldman requested that the Medical Director of the Board, Joseph Gluck, M.D., speak with

Respondent at that time, in order to see if he noticed anything unusual himself. Dr. Gluck then proceeded to have a conversation with Respondent about his reinstatement paperwork, and throughout that conversation, Respondent avoided all eye contact with Dr. Gluck. Nonetheless, Dr. Gluck was also able to detect what appeared to be the smell of alcohol on Respondent's breath. Dr. Gluck then asked the Board's Educational Director, Mary Blanks, M.D., to see if she could detect the smell of alcohol on Respondent. Dr. Blanks then proceeded to have a conversation with Respondent about his continuing medical education credits, and she too was able to detect what appeared to be the smell of alcohol on Respondent's breath, as well as on his person.

Since it was after 4 p.m., Respondent's check could not be deposited that day. Respondent was told that he could call the Board office the following day to see if his license status was updated. Respondent then left the Board office. The PAP was immediately informed of this incident.

On or about December 30, 2005, the PAP arranged for a urine sample to be taken from Respondent, based upon the report of this incident. Respondent's urine was to be tested for ethyl glucuronide, which would detect whether Respondent had consumed any alcohol within the prior three (3) days. On or about January 24, 2006, the report from the laboratory came back and Respondent's ethyl glucuronide results were positive at 1600 ng/ml

(normal range 0-250 ng/ml). Thereafter, in a letter, faxed to the Board office on January 24, 2006, Dr. Baxter informed the Board that the PAP had now withdrawn its support for the reinstatement of Respondent's license. The letter from the PAP withdrawing its support, as well as the laboratory tests results, are attached hereto as Exhibit B.

Based upon the PAP's withdrawal of support for Respondent's reinstatement, the Board has determined to rescind the Order of Reinstatement, filed in error on December 22, 2005.

WHEREFORE, it is on this 8<sup>th</sup> day of February, 2006,

ORDERED:

1. The Consent Order of Reinstatement of Licensure, filed in error on December 22, 2005, which reinstated the medical license of Respondent Warland Lance Kollmer, M.D. is hereby rescinded. The terms of Respondent's prior April 16, 2001 Consent Order of Voluntary Surrender of Licensure shall remain in full force and effect. Respondent's check for \$580.00, which was never deposited, shall be returned by the Board with a copy of this Order.

2. Respondent's petition for reinstatement of his medical license is hereby denied *nunc pro tunc*.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By: Sindy Paul MD, MPH  
Sindy Paul, M.D., M.P.H.  
President

PETER C. HARVEY  
Attorney General of New Jersey  
Division of Law  
124 Halsey Street, 5th Floor  
Newark, New Jersey 07102

By: Daniel S. Goodman  
Deputy Attorney General  
(973) 648-4741

**FILED**

DECEMBER 22, 2005

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF

**WARLAND LANCE KOLLMER, M.D.**  
**License No. 25MA04525100**

TO PRACTICE MEDICINE AND SURGERY  
IN THE STATE OF NEW JERSEY

Administrative Action

**CONSENT ORDER OF  
REINSTATEMENT OF LICENSURE**

This matter was initially opened to the State Board of Medical Examiners ("Board") upon the filing of a Consent Order of Voluntary Surrender of Licensure, dated April 16, 2001, in which Warland Lance Kollmer, M.D. ("Respondent") surrendered his license to practice medicine and surgery in the State of New Jersey for a minimum period of six (6) months, after a relapse into the abuse of Fioricet with Codeine.

On or about May 31, 2002, during the time period when Respondent's license was surrendered, Respondent was charged, via a State Grand Jury indictment, with submitting false disability insurance claims to the Sentry Insurance Company and to the

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American General Insurance Company. A second indictment, returned on March 27, 2003, charged Respondent with submitting false insurance claims to the Unum Provident Corporation. Finally, a third indictment, returned on October 12, 2004, charged Respondent with submitting false disability claims to the U.S. Life/American General Insurance Company and to the Hartford Insurance Company. These three (3) matters have since been combined and the criminal proceeding is on-going. However, to-date, Respondent has not been convicted of any crime.

In or around February 2005, Respondent petitioned the Board for reinstatement of his medical license, which was still surrendered from his impairment related problems back in April 2001. On March 30, 2005, Respondent, accompanied by his attorneys, John P. Lacey, Esq. and Rowena M. Duran, Esq., as well as David I. Canavan, M.D., Assistant Medical Director of the Professional Assistance Program of New Jersey ("PAP"), appeared and gave sworn testimony before a Committee of the Board.

At this appearance, Respondent testified that he first went to the Williamsburg Place Treatment Center in Williamsburg, Virginia from March 5, 2001 to March 8, 2001 for evaluation, diagnosis and treatment. However, he admitted that he was initially not cooperative in his treatment program there because he was still in denial at that time. Respondent testified that he next went to the Marworth treatment center on April 10, 2001 for seven (7) weeks.

However, he testified that he left his treatment program at Marworth, against medical advice, on May 24, 2001 to go to the Mayo Clinic, following an injury that took place at Marworth. Respondent testified that he wanted to go back to Marworth after his injury was treated, but that he could not financially afford to do so. Respondent stated that he then went to the Clearbrook Lodge, where he was discharged after eighteen (18) days in that program.

At his appearance, Respondent admitted that it took him almost one and one half years to get over his substance abuse denial. However, Respondent testified that he has since recognized his substance abuse problem and has made many changes in his life, especially his family life, to ensure that he does not suffer a relapse again in the future.

The PAP also submitted a Position Statement, dated March 30, 2005. In that Statement, the PAP asserted that Respondent had been "less than cooperative" with his treatment plan. In addition, the PAP stated that it could not completely document that Respondent had been abstinent from the use of Fioricet with Codeine since February 12, 2001, because of the "difficulty in obtaining his urine to be tested, due to the frequent number of waivers that were granted because of conflicts in his schedule." The documents submitted by the PAP showed that while all of Respondent's urine tests had been negative to-date, Respondent frequently was

unavailable and/or missed numerous urine screens during the past two years. In fact, during the period of May 2004 through March 2005, Respondent received ten (10) waivers with regard to his urine screen testing, which essentially made his urine monitoring equivalent to once per month, rather than once per week, during this time period. Respondent also testified that he had only met with a representative from the PAP for face-to-face meetings about four times since he surrendered his license in 2001. Respondent testified that his numerous waivers and failures to meet with the PAP were a result of family obligations and the aforementioned criminal proceedings.

Respondent then submitted an undated, one paragraph "report" from his treating psychiatrist; Clifford A. Taylor, M.D., which simply stated that Respondent was under his medical psychiatric care and that he was fit to return to work in a full time capacity.

Following Respondent's appearance before the Board Committee, the PAP was asked to provide a more detailed psychiatric report from Dr. Taylor, since his initial report offered no specific details about his care and treatment of Respondent. However, no additional material was received from the PAP until August 22, 2005, when Dr. Canavan issued a Revised Position Statement concerning Respondent. Dr. Canavan informed the Board that since Respondent's appearance before the Board Committee in March 2005, he has been completely compliant with all of the PAP's



recommendations and monitoring requirements. He asserted that the PAP now fully supports Respondent's application for license reinstatement at this time. Dr. Canavan also informed the Board that Respondent is currently being treated by a new psychiatrist, Thomas M. Sprague, D.O., about once every four to six weeks. Two detailed reports were also received from Dr. Sprague, who stated that he has met with Respondent on at least seven (7) occasions since May 4, 2005. Dr. Sprague asserted that Respondent "has remained very compliant with treatment recommendation and follow-up appointments."

Respondent now seeks leave to resume the active practice of medicine and surgery in the State of New Jersey. The Board finding that Respondent has now satisfied all of the requirements of the April 2001 Order, and that the within disposition is adequately protective of the public health, safety and welfare,

IT IS, therefore, on this 21st day of December, 2005,

ORDERED THAT:

1. The license to practice medicine and surgery of Respondent Warland Lance Kollmer, M.D., previously surrendered is hereby restored, subject to the restrictions set forth herein.

2. Respondent shall refrain from taking any psychoactive substances, unless those substances are prescribed by a treating physician for a documented medical condition, and only if

notification is first given to the Executive Medical Director of the PAP.

3. Respondent shall attend Alcoholics Anonymous meetings at a minimum frequency of three (3) times per week.

4. Respondent shall participate in random urine monitoring, once per week, conducted under the auspices of the PAP, for the first six months of his return to practice and then twice monthly for the following six months. The frequency of further urine testing is to be at the discretion of the Executive Medical Director of the PAP.

5. Respondent shall continue his formal aftercare program with Thomas M. Sprague, D.O., on a schedule to be determined by Dr. Sprague. At such time as Dr. Sprague determines that treatment is no longer required, notification is to be provided, in writing, to the PAP.

6. Respondent shall meet for monthly face-to-face visits with a representative from the PAP to discuss his progress until he completes his first full year of employment, and then on a schedule to be determined by the Executive Medical Director of the PAP.

7. The PAP shall submit quarterly reports to the Board on Respondent's compliance with his treatment plan and with the Board's mandates, and shall agree to immediately notify the Board if Respondent suffers a relapse or fails to comply with his aftercare program.

8. The Board's records reflect that Respondent would like to commence employment at the University of Medicine and Dentistry of New Jersey in the Department of Surgery, under the supervision of Kenneth G. Swan, M.D., Chief, Section of General Surgery. Dr. Swan has informed the Board that he is aware of Respondent's substance abuse history, his current involvement with the PAP, and his pending criminal matter. Dr. Swan hereby agrees to notify the PAP of any evidence of a relapse or of a violation of any of the terms of this Order. Respondent also agrees to disclose his involvement with the PAP to any future employer and obtain the express agreement of that employer, in writing, that it will notify the PAP of any evidence of a relapse or of a violation of any of the terms of this Order.

[REST OF PAGE INTENTIONALLY LEFT BLANK]

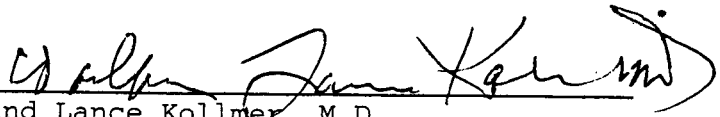
9. The parties hereby stipulate that entry of this Order is  
without prejudice to further action by this Board or other law  
enforcement entities resulting from Respondent's conduct prior to  
entry of this Order. The Board will continue to monitor the  
progress of Respondent's criminal proceeding and reserves the right  
to initiate disciplinary action on his medical license, regardless  
of the outcome of the criminal trial.


NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

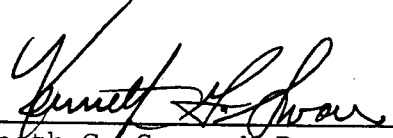
By: 

Glenn A. Farrell, Esq.  
Vice President


I have read and understood  
the within Order and agree to  
be bound by its terms. Consent  
is hereby given to the Board to  
enter this Order.

  
Warland Lance Kollmer, M.D.

  
David I. Canavan, M.D.  
Assistant Medical Director, PAP

  
Kenneth G. Swan, M.D.  
Chief, Section of General Surgery, UMDNJ

Consented to as to form:

  
John P. Lacey, Esq.